

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Justin Lingard on 17 December 2008.

The application has been amended as follows:

In the Claims:

Replace claim 1 as follows:

1. An exhaust gas purifying apparatus for trapping and burning particulate matter (PM), which comprises electrodes and an insulative honeycomb structure having a number of cell passages, wherein the electrodes make an electric field in said honeycomb structure, the electric field not being parallel to the direction of the cell passages of said honeycomb structure, ~~the electrodes comprise exhaust purifying gas apparatus further comprising~~ an electric-discharge electrode that extends upstream of an upstream end of the honeycomb structure, the electric-discharge electrode being configured to promote an electric discharge therefrom to charge the PM before the PM enters the honeycomb structure.

2. The following is an examiner's statement of reasons for allowance: Because the independent claim 1 has clearly recited the limitation of the electric-discharge electrode to clearly distinguish from the prior art references, the previous rejections to elected claims 1-16 are no longer maintained.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Also, non-elected claims 17, 18 and 21-24, directed to an exhaust gas purifying apparatus and depended upon claim 1 and previously withdrawn from consideration as result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104. They are all allowable for dependent upon allowable claim 1.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kishor Mayekar whose telephone number is (571) 272-1339. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kishor Mayekar/  
Primary Examiner, Art Unit 1795